

**FURTHER CONSIDERATIONS ON THE QUESTION  
WHETHER IT SHOULD BE AN ESSENTIAL CONDITION TO  
THE AVAILABILITY OF A NAME THAT THE AUTHOR  
BY WHOM IT WAS PUBLISHED INTENDED THAT THE  
NAME IN QUESTION SHOULD BE USED AS A SCIENTIFIC  
NAME IN ZOOLOGY**

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Among the applications relating to the names of ammonites submitted to the Commission by Dr. W. J. Arkell, that relating to the names *Arieticerias* Seguenza, 1885, and *Sequenzicerias* Levi, 1896 (Arkell, 1951, *Bull. zool. Nomencl.* 2: 208-210) raised a question of principle of general application. This question was whether a name (in this case, the name *Arieticerias* Seguenza, 1885) should be rejected as a junior homonym when the same word (*Arieticerias*) had previously been published by some author (in the present instance by Quenstedt in 1883) in conditions which showed or implied that the name in question had been published by that author for some reason other than to serve as a scientific name for an animal.

2. In a note published at the same time (Hemming, 1951, *Bull. zool. Nomencl.* 2: 211-213) I discussed the implications of the problem involved. In approaching this subject, I was primarily concerned to draw attention to the threat to nomenclatorial stability represented by any decision under which it would be legitimate to reject as nomenclatorially unavailable any otherwise available name, on the ground that, although that name had been duly published with an indication, the author by whom it had been published had never intended it to be used as the scientific name of the animal concerned and had published it with some other object, for example, for the purpose either of ridiculing some other author or of criticising what he (the author by whom the name was published) considered to be the excessive tendency of some author to subdivide taxonomic units unnecessarily and therefore to publish unneeded new names. For, as I then pointed out, the introduction into the *Règles* of a provision containing a subjective test of the foregoing kind would be contrary to the interests of nomenclatorial stability, as it would be impossible under such a provision to obtain a final and definite answer, it being open to any zoologist to form his own opinion on the question whether a given name had been published in order that it should be used as such or whether it had been published for some other reason. I therefore formed the view that it would be a mistake to insert into the *Règles* a provision invalidating names on the ground discussed above.

3. The question at issue has since been the subject of an interesting discussion in a series of notes by the following authors: H. Engel (*Zoologisch Museum, Amsterdam*) (1951, *Bull. zool. Nomencl.* 2: 337); H. Oldroyd (*British Museum (Natural History)*) (1952, *ibid.* 6: 245); Helmuth Hölder (*Geologisch-Paläontologisches Institut, University of Tübingen*) (*ibid.* 6: 245); Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) (*ibid.* 6: 246); Otto Haas (*American Museum of Natural History, New York*) (*ibid.* 6: 246).

4. Two points emerge clearly from this discussion: (1) The differences of opinion expressed as to Quenstedt's intentions when he published the name *Arieticeras* confirm the presumption that it will often be a matter of difference of opinion as to whether in a case of this kind the author concerned did or did not intend the name which he published to be treated as available for use as a scientific name. (2) The general consensus of opinion appears to be that the intention to give a scientific name—rather happily styled by Dr. Haas as "*animus nominandi*"—ought to be regarded as an essential condition to a published name acquiring "availability" under the *Règles*.

5. If, as may, I think, now be expected, this view on the question of availability is that generally favoured by zoologists, it will be necessary to consider how best the general proposition involved may be given formal recognition in the *Règles*. I suggest for consideration that a convenient method would be one modelled on the decision taken by the International Congress of Zoology in relation to the determination of the species to be accepted as the type species of a genus based (or alleged to be based) upon a misidentified type species. The two cases are, in essence, very similar, for, just as it is now suggested that it should be made clear in the *Règles* that the intention to give a name on the part of a given author should be made an essential condition to the acceptance as available of a name published by that author, so in the earlier case it was argued that means should be found for ensuring that (other things being equal) the intention (or *animus*) of an author, when designating a given nominal species to be the type species of a new genus or when including in such a genus a nominal species later selected to be the type species, should not be frustrated by reason of the fact that that author misidentified the species with which he was dealing and mistakenly applied to it a name properly applicable to some other species.

6. In the case of a genus based upon a misidentified type species, the International Congress of Zoology (on the advice of the Commission) agreed that a provision should be inserted in the *Règles* laying down the proposition (originally enunciated by the Commission in its *Opinion* 65) that the author of a generic name is to be assumed to have correctly identified the species placed by him in the nominal genus so named, save that, where specialists are of the opinion that the author of such a name misidentified the species which he designated as the type species or which, if no species was so designated, was later selected to be the type species, the case is to be referred to the International Commission for decision (see 1950, *Bull. zool. Nomencl.* 4: 158-159).

7. The foregoing solution of the problem presented by the name of a genus based upon a misidentified type species provided a means for recognising the intention of the author of the name of a genus, while at the same time ensuring that stability and uniformity in nomenclature should not be endangered through an opening being given for the adoption by individual zoologists of discordant subjective views as to the intention of the original author. It is accordingly suggested for consideration that a suitable means for dealing with the present problem would be provided by the adoption of a provision prescribing that the author of a name is to be assumed to have published that name for use as a scientific name, save that, where any specialist